

BEFORE THE SPECIAL MASTER
IN AND FOR HERNANDO COUNTY, FLORIDA

HERNANDO COUNTY, a political
subdivision of the State of Florida,
Plaintiff,

vs.

Case No. 2022-29145

SARA THOMPSON and ALEXANDER GOFORTH,
Defendants.

SPECIAL MASTER'S ORDER

THIS MATTER came before the Special Master for hearing on December 7, 2022, after notice to the Defendants, on Citation #29145-H issued by the Plaintiff, HERNANDO COUNTY ANIMAL SERVICES, 19450 Oliver St., Brooksville, Florida 34601, to the Defendants, SARA THOMPSON and ALEXANDER GOFORTH, 9088 Kindewood Trail, Brooksville, FL 34613. The citation was signed for by one of the Defendants and the Notice of Hearing was mailed to the Defendants by certified mail, return receipt requested, and was subsequently posted at the Defendants' address and at the Hernando County Courthouse, The Defendants appeared pro se and the Plaintiff was represented by KYLE BENDA, ESQ., Assistant Hernando County Attorney.

A hearing was conducted by the Special Master into the allegations brought by the Plaintiff. The Plaintiff presented witnesses and evidence and the Defendants was afforded an opportunity to cross examine those witnesses, review the evidence presented, and present witnesses and evidence on their own behalf. The Defendants argued on their own behalf.

The Special Master heard the testimony of Hernando County Animal Services Officer, KEITH BERGER, Plaintiff's witness, MICHAEL REIFF, and the Defendants.

Upon **CONSIDERATION**, the Special Master finds as follows:

A. Upon testimony and evidence presented, Officer Berger testified that on October 1, 2022 he responded to the call of a loose dog at 9114 Kindewood Trail, Brooksville, Hernando County, Florida. Officer Berger testified he did not personally see the dog loose. He saw a photo from Michael Reiff.,

B. The Special Master heard the testimony of Plaintiff's witness, Michael Reiff, who was sworn. Michael testified that on October 1, 2022 he observed the Defendant's Pit Bulldog on the easement between the two properties. The Pit came from the Defendant's yard while he was delivering his garbage. The Pit jumped over Michael's fence. A photograph taken by the witness was identified, placed in evidence, and viewed by the Special Master. The photo shows the dog loose on the easement.

C. Officer Berger testified that a number of citations have been issued to the Defendants for the same violation. According to the clerk this is citation number eight.

UPON THESE FINDINGS, it is therefore ORDERED:

1. Regarding citation #29145-H and the charge of having one unrestrained dog, the Defendants, SARA THOMPSON and ALEXANDER GOFORTH, are found GUILTY of having one unrestrained dog in violation of Hernando County Code of Ordinances Section 6-24a.

a) The Defendants shall pay a civil penalty in the amount of \$250.00 payable to the Animal Services Department, 19450 Oliver St., Brooksville, Florida 34601, pursuant to Hernando County Code of Ordinances 2004-09, Section 4(a)(1).

2. That pursuant to authority granted by Chapter 2, Article III, Section 2-54(k) of the Hernando County Code of Ordinances and Section 162.09(2)(d), Florida Statutes, the Defendants is hereby ordered to pay administrative and investigative costs on behalf of the Animal Services Department in the amount of \$70.00 and certified mailing costs in the amount of \$16.90 payable to the Hernando County Animal Services Department. The County Attorney waives his costs in this matter.

3. The total of penalties and costs due and payable to th Plaintiff, Hernando County Animal Services Department, 19450 Oliver St., Brooksville, Florida 34601 is \$336.90. This order shall bear interest at the legal rate established pursuant to Section 55.01, Florida Statutes, beginning 30 days after the clerk signs this order, FOR WHICH LET EXECUTION NOW ISSUE. In the event that this Special Master's Order is recorded in the public records pursuant to paragraph 4, herein, Hernando County shall be entitled to collect for their actual costs of recording this Order and a Satisfaction, which additional costs shall be added to the total of penalties and costs stated herein.

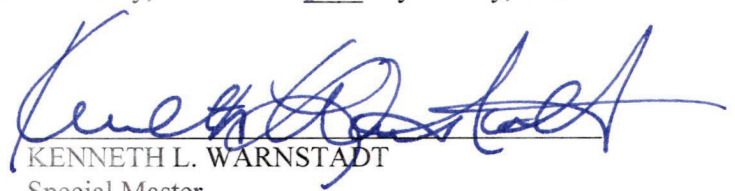
4. If the Defendants fail to comply with this Order within 30 days, pursuant to Section 10 of Ordinance 2004-09, Hernando County Code of Ordinances, a certified copy of this Order shall be recorded in the public records of Hernando County, Florida and wherever else the Defendants may live or own property and thereafter shall constitute a lien against real and personal property owned by the Defendants.

REQUESTS FOR FURTHER REVIEW shall be addressed as follows:

An aggrieved party, including the local governing body, may appeal a decision of the Special Master to the Circuit Court. Such appeal shall not be a hearing de novo, but shall be limited to appellate review of the record created before the Special Master. An appeal shall be filed within thirty (30) days of the execution of the Order to be appealed.

YOU ARE FURTHER advised that if you decide to seek further review of any decision made by the Special Master with respect to any matter considered at such hearing, you will need a record of the proceedings, and that, for such purpose, you may need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the further review is to be based. Production of verbatim transcripts shall be the responsibility and at the personal expense of the party seeking review of the Special Master's Order.

DONE AND ORDERED at Brooksville, Hernando County, Florida this 8th day of May, 2023.


KENNETH L. WARNSTADT
Special Master

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Special Master's Order has been sent by Regular U.S. Mail and certified mail, return receipt requested, to SARA THOMPSON and ALEXANDER GOFORTH, 9088 Kindlewood Trail, Brooksville, FL 34613 and by Courthouse Mail to Hernando County Animal Services, 19450 Oliver St., Brooksville, FL 34601 on May 26, 2023.


Clerk to Special Master